

**PLANNING COMMISSION MINUTES OF JULY 10, 2006**

**2006-0523** – Application for a Design Review on a 5,085 square foot site to allow a first and second story addition for a total of 2,478 square feet resulting in a 48.7% Floor Area Ratio where up to 45% may be allowed without Planning Commission review. The property is located at **576 Balsam Avenue** (near N Fair Oaks Ave.) in an R-0 (Low Density Residential) Zoning District. (APN: 204-13-022) RK

**Andrew Miner**, Principal Planner, presented the staff report. He said staff does not expect this second-story addition to have a significant impact on the neighborhood, as there are one and two-story homes throughout the neighborhood. He said staff finds that the design and the location of the second-story addition provides an adequate mass and scale in relation to the surrounding area and recommends approval subject to the conditions in the staff report. Mr. Miner added that the applicant has recently applied for a tree removal permit for the willow tree in the front yard, but at this time, no decision has been made regarding the tree removal permit.

**Vice Chair Sulser** asked staff what the Floor Area Ratio (FAR) is for the adjacent home at 572 Balsam Avenue. Staff did not know the FAR of the adjacent home.

**Chair Klein** asked staff about the separate tree removal permit commenting that generally the tree removal would be considered as part of the Design Review application. **Trudi Ryan**, Planning Officer, said that the tree removal request came in when the staff report was almost completed so the two applications would be considered separately. She said the Planning Commission could comment about the visual affects of the tree removal, but that the Commission would not be making any decision about the tree removal permit this evening.

**Comm. Rowe** referred to Attachment A and commented that the report indicates that the front yard will maintain over 50% landscaping as a result of the expanded driveway. She asked staff if there is a set figure requirement for front lawn coverage. Ms. Ryan said no more than 50% of the required front yard, the 20-foot strip of land, may be paved or used for parking. Ms. Ryan said it is not required that the 50% is lawn, but it should be landscaped, or kept in tidy condition.

**Chair Klein opened the public hearing.**

**Alex DuVon**, representing the applicant, said he would like to see this project move forward. He said if the Commission has any recommendations or requirements that the applicant will proceed as required.

**Chair Klein closed the public hearing.**

**Ms. Ryan** referred to Vice Chair Sulser's earlier question about the FAR of the adjacent site, commenting that it appears to be a little less FAR than the proposed application.

**Comm. Hungerford** confirmed with staff that the outcome of the proposed project would not affect the outcome of the tree removal permit decision.

**Comm. Rowe** asked staff if a project is approved can the applicant complete certain parts of the project and leave other parts until later or do all the requirements in the Conditions of Approval (COAs) have to be completed within a certain amount of time. Ms. Ryan said the planning permit is only good for a certain period, but if the applicant begins construction prior to the planning permit expiring then the permit is still good. Ms. Ryan said the building permit is only good as long as there is some kind of inspection at least every six months. She said if reasonable progress is not made then the building permit could expire. She said if construction is incomplete and there is no need for inspection then the Neighborhood Preservation staff could get involved to make sure the project is in a safe and clean condition. Ms. Ryan said most projects are fully completed.

**Comm. Simons** referred to Attachment B, COA 1.C regarding a tree protection plan which would indicate any trees proposed to be removed prior to issuance of building permits and asked staff how this tree protection plan would be used. Ms. Ryan said that at the time the staff report was being written that design review staff did not know about the pending tree removal permit. She said that COA 1.C was written to acknowledge that there are trees on the site that have value and that they should remain, but that a tree removal permit could supersede this COA depending on the outcome of the tree removal permit and based on this COA, some type of replacement tree may be required.

**Comm. Ghaffary** referred to the architecture and asked why there is no window in the vertical wall on the front side of the house on the second story above the entryway as he felt it would better balance the design. Ms. Ryan referred to attachment C, page 4, the illustration in the lower right hand corner, and clarified that the area he is referring to is actually angled back and not a vertical wall.

**Comm. Simons moved for Alternative 2 to approve the Design Review with modified conditions: to add language to COA 1.C** that replacement trees to be considered would be large species native trees as appropriate for placement on the site. **Vice Chair Sulser seconded.**

**Comm. Simons** said he has no concerns regarding the architecture and is in support of this motion.

**Ms. Ryan** suggested that an appropriate addendum to COA 1.C would be **that large species native trees should be considered as potential replacement trees if a tree removal permit is granted for this site.** The maker of the motion and the seconder accepted the change in language.

**ACTION:** Comm. Simons made a motion on 2006-0523 to approve the Design Review with modified conditions: to add language to Condition of Approval 1.C that large species native trees should be considered as potential replacement trees if a tree removal permit is granted for this site. Vice Chair Sulser seconded. Motion carried unanimously, 7-0.

**APPEAL OPTIONS:** This item is final unless appealed to the City Council no later than July 25, 2006.